

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BYRON HARPER,

Plaintiff,

V.

COMMISSIONER OF SOCIAL SECURITY
ADMINISTRATION,

Defendant.

CASE NO. 1:14cv1101

JUDGE BENITA Y. PEARSON

MEMORANDUM OF OPINION AND ORDER

In the above-captioned case, an Administrative Law Judge (“ALJ”) denied Plaintiff Byron Harper’s application for Supplemental Security Income (“SSI”) after a hearing. [ECF No. 11 at PageID #: 69](#). That decision became the final determination of Defendant Commissioner of Social Security Administration when the Appeals Council denied Plaintiff’s request to review the ALJ’s decision. [Id. at PageID #: 51](#). Plaintiff subsequently sought judicial review, and the Court referred the case to the magistrate judge for preparation of a Report and Recommendation pursuant to [28 U.S.C. § 636](#). The magistrate judge recommended that Defendant’s decision should be vacated and remanded for further proceedings because the ALJ failed to apply the appropriate standards and give proper weight to the opinion of Plaintiff’s treating psychiatrist. [ECF No. 23](#).

Section 636 provides that a party may serve and file specific written objections within fourteen days after being served with the recommendations of the magistrate judge. The statute

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does not require a district judge to review a magistrate judge's report to which no objections are filed. [*Thomas v. Arn*, 474 U.S. 140, 149, 106 S. Ct. 466, 88 L. Ed. 2d \(1986\)](#). The cutoff date to file objections was July 1, 2015. Defendant has filed a notice informing the Court that Defendant will not object to the Report and Recommendation. [ECF No. 24](#). Any further review by this Court would be a duplicative and inefficient use of the Court's resources. See [*Howard v. Secretary of Health & Human Services*, 932 F.2d 505, 509 \(6th Cir. 1991\)](#).

Accordingly, the Court adopts the Report and Recommendation. Defendant's decision denying Plaintiff's SSI application is vacated and remanded consistent with the Report and Recommendation.

IT IS SO ORDERED.

July 2, 2015
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge